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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 In re: Kenyon K. Kelly

9 Debtor,

CASE NO. C12-5446 BHS

10 ORDER DENYING
11 APPELLANT'S MOTIONS AND
12 TO SHOW CAUSE

13 This matter comes before the Court on Appellant James J. O'Hagen's
14 ("O'Hagen") motion for order denying the debtor's discharge of debts and dismissing
15 bankruptcy case (Dkt. 16), motion for order relating to any and all automatic stays
16 implied by the debtor's serial bankruptcy filings (Dkt. 17), application for writ of habeas
17 corpus (Dkt. 18), motion to dismiss case (Dkt. 21), and the bankruptcy clerk's notice of
18 deficiency (Dkt. 14). The Court has considered the pleadings filed in support of the
19 motions and the remainder of the file and hereby denies the motions and orders O'Hagen
20 to show cause for the reasons stated herein.

21 On May 14, 2012, O'Hagen appealed an order and judgment for sanctions against
22 O'Hagen entered May 2, 2012, by United States Bankruptcy Judge Bryan D. Lynch.

1 Dkt. 1-1. On June 26, 2012, the bankruptcy clerk issued a notice of deficiency that
2 O'Hagen had failed to file his designation of record and statement of the issues. Dkt. 12.
3 On July 14, 2012, O'Hagen responded. Dkt. 13.

4 On August 1, 2012, the bankruptcy clerk issued another notice of deficiency
5 stating that O'Hagen has failed to request appropriate transcripts for his designations of
6 record. Dkt. 14. On September 20, 2012, O'Hagen responded and argued that Judge
7 Lynch does not have jurisdiction over this matter. Dkt. 19. This is not an appropriate
8 response. Therefore, O'Hagen shall show cause, if any there is, why the Court should not
9 dismiss this appeal for failure to perfect the appeal. O'Hagen's response is due no later
10 than November 16, 2012. If O'Hagen shows sufficient cause to proceed with this appeal,
11 the Court will set a briefing schedule to address the merits of the appeal.

12 With regard to O'Hagen's numerous motions, they are all without merit because
13 the Court is either without jurisdiction to grant the requested relief or O'Hagen requests
14 final relief as to the merits of his appeal. Therefore, the Court denies O'Hagen's motions.

15 **IT IS SO ORDERED.**

16 Dated this 6th day of November, 2012.

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19 BENJAMIN H. SETTLE
20 United States District Judge
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